

Hydaburg Church

September 26, 1945

VIA AIRMAIL

Mr. James Edenso
Hydaburg, Alaska

My dear Mr. Edenso:

We are glad to report to you that we have been able to find an ordained minister and his family for your Church. The Rev. Alwin E. Gall of Emery, South Dakota has just written accepting the appointment to the Church in Hydaburg. Mr. Gall was born in Germany and received most of his education there. About a year ago he volunteered for Alaskan service but I felt it was unwise for him to go to Alaska during the war period when he had come so recently from Germany. He is very loyal and now that the war is over there should be no difficulty about this part of his service. The Gall's have four boys 13, 12, 6, and 4. The oldest one is ready for High School and Mr. Yaw has agreed to receive him at Sheldon Jackson School.

We have many good reports on Mr. Gall's ministry and I am sure he will do his utmost to give the right kind of spiritual leadership for your congregation.

In your visit with me on the dock last Spring you indicated that the Church would be willing to pay \$30. a month toward the support of the minister if we would continue to have an ordained man there. We are now expecting the Church to bear that share of the support of the minister with us. If in the future that part can be increased, we would be glad to have you do it. At the present we have more calls for missionary service than it is possible for us to fulfill or to have funds to support. We can only continue this service and increase it in so far as the individual churches will do their utmost to pay as large a share of the support of their minister as they are able to. We know that the Hydaburg people are good people and will want to do their share or more than their share. We are depending upon you to give The Gall's a warm welcome and to cooperate with them in every way possible.

It may be toward the end of October before they are able to arrive. We shall have to find some way up there to get them over from Ketchikan when they come from the States. This will need to be worked out later.

We would appreciate a reply indicating the willingness of the congregation to receive the Gall's and to do your part in supporting their ministry.

Cordially yours,

J. Earl Jackman, Secretary
Unit of Work in Alaska

JEJ:FK

Hydaburg file

ALASKA
PERM. FILE

MEMORANDUM

June 7, 1948

To - - Dr. H. N. Morse
From - Dr. J. Earl Jackman
Re: - Cabinet of Missionary Operation
meeting on June 8th;
re: Hydaburg, Auke Lake, and College, Alaska.

It is not possible for me to attend the meeting of the Cabinet of Missionary Operation on June 8th. We are sending you several memorandums for consideration in the meeting.

In addition, we would ask for special consideration to the actions of the Cabinet and Council in the April meetings approving sums up to \$10,000. each for Hydaburg and Auke Lake. The Hydaburg Church burned and help must be given the people to rebuild their church this summer and fall. We are committed to help the Auke Lake area people build a new church and manse or lose confidence and the group. A minister is available for them in September and housing for his family is involved in this provision for the church and manse.

In College, we ought to start work this fall for University students and the village. To do this it will be necessary to use the house in which Mr. Bingle is living. This in turn necessitates some other provision for the Bingle family. We must either buy a house at a high price or buy a lot and put a temporary dwelling on it.

J. Earl Jackman, Secretary
Unit of Work in Alaska

JEJ:FK

Dictated by Dr. Jackman
through letter from field,
but signed in his absence.

X "Approved per Exec. Com. Minutes of Board - June 24, 1948 (page #6)
and Paper E-page 1 -

"That the following grants be made from the National Missions Building and Repair Fund:

Unit of Work in Alaska

For rebuilding a church at Hydaburg - \$10,000.- "

(noted 7-9-1948 - FK)

We would suggest that you use Vagabond Cruises and Travel Service, 1331 Third Avenue, Seattle 1, Washington, for the ticketing. Please mention that this request comes in connection with our summer program.

We are glad to know that you are developing an affinity for Alaska weather. Certainly these bad nights on which you have been speaking and showing pictures of Alaska gives an atmosphere to it. You may develop such a liking for it that you will want to serve in Alaska.

I saw your father recently at the NCUPM meeting in Chicago. We had just a moment for a greeting in passing in the hall.

Let us know what you hear from Paul Moyer. It is perfectly all right with us for him to go ahead and make arrangements with you, but we would like to know them because they will have a relationship to the total program in southeastern Alaska.

Best regards to you.

Cordially yours,

J. Earl Jackman, Secretary
Dept. of Work in Alaska

JEL:EW
CC : The Rev. Paul Moyer

COPY

Resources

BUREAU OF INDIAN AFFAIRS
DEPARTMENT OF THE INTERIOR
WASHINGTON, 25, D.C.

June 23, 1948

MEMORANDUM

To: William E. Warne, Assistant Secretary

From: William Zimmerman, Commissioner of Indian Affairs

Subject: Proclamation to Extend Hydaburg Town Reserve

This Proclamation, extending the boundaries of the town reserve for the inhabitants of Hydaburg and vicinity, is I believe the minimum land and water area that should be reserved to insure them a reasonable economic livelihood. The Proclamation describes the land and water areas held to be theirs, by the Secretary, after exhaustive studies and hearings.

I have surnamed the proclamation not because I agree with stipulations that will required the natives to sign away their possessory interests in other areas in order to obtain title to this one, but rather in acknowledgement of the circumstances which are measuring justice for the natives of Alaska. I am convinced that if this and similar proclamations are longer delayed that the natives may be denied title to any land except mere town and burial sites. In the face of this possibility the natives of Hydaburg should be given the earliest opportunity to consider and vote on this Proclamation.

I have been assured by counsel that any stipulation of the type described in condition number one will not impair any claims which the natives of Hydaburg may have against the United States for past wrongs, including the failure of the United States to prevent the taking or loss of the areas outside of the proposed enlarged town reserves.

(Sgd) William Zimmerman, Jr.

Enclosure - 806

Acting Commissioner

THH:ERF/LL

Enclosure approved by

Secretary of the Interior

and returned.

at side
Hydaburg Ch.

Board of National Missions
of the Presbyterian Church in the
United States of America

156 Fifth Avenue, New York 10, N. Y.

April 20, 1949

**ALASKA
PEM. FILE**

VIA AIRMAIL

Mr. Don C. Foster
Alaska Native Service
Juneau, Alaska

Dear Mr. Foster:

It was a pleasure to have a brief visit with you in your meeting at Mt. Edgecumbe. You will be interested to know that I have presented the matters in question to the Alaska Committee of the Home Missions Council and have received the assurance that we will follow them up for greater cooperation in your work.

In my visit to Hydaburg, I was faced with a question upon which we need some guidance possibly from your Legal Department. As you know, the Hydaburg church burned and our Board is willing to share with them in the expense of rebuilding. Ordinarily, when we use mission funds for this purpose, we do it on the basis of a recorded mortgage which does not need to be paid unless the building is sold or used for some other purpose. In order to hold the property and have this mortgage recorded, it is necessary for the church to be incorporated.

In Hydaburg, the Council has taken action granting the site of the new church to the congregation. This is not yet in writing but we are assured it will be. Is there any federal law which provides when a site was granted in writing, is recorded as owned by the group, with or without being incorporated, against which a mortgage could be recorded? When we are ready to advance funds for this purpose, I am sure our record department will raise this question and it is well to have it cleared now. Since we may be called upon for funds this summer, we would appreciate some information on this question.

Cordially yours,

J. Earl Jackman, Secretary
Department of Work in Alaska

JEJ:FK

In reply address only the
General Superintendent

UNITED STATES
DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

FIELD SERVICE
Alaska Native Service
Juneau, Alaska.

MAY 5 1949

April 29, 1949

AIR MAIL

Rev. J. Earl Jackman
Board of National Missions of the
Presbyterian Church in the U. S. A.
156 Fifth Ave.,
New York 10, N. Y.

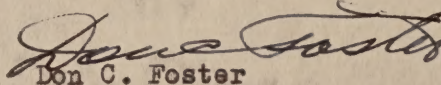
Dear Dr. Jackman:

This is in response to your letter of April 20 concerning the title to the site of the church to be rebuilt in Hydaburg.

Our offhand opinion is that under existing law it will be impossible for the congregation, either in an unincorporated or incorporated status, to secure a valid title to the land against which a real estate mortgage could be recorded. It is likely that only a chattel mortgage could be taken against the building, as personal property.

Since the Townsite Trustee for Alaska is the determining authority in the issuance of deeds within surveyed townsites, we have referred the question to Mr. Puckett, who as Regional Administrator of the Bureau of Land Management acts as Townsite Trustee. We will write you further upon receipt of a reply from him.

Sincerely yours,



Don C. Foster

General Superintendent

cm

JBS:ae

File: 305.0 Hydaburg

COPY (carbon copy received in Alaska Department 5/20/1949)

United States
Dept. of the Interior
Bureau of Land Management
Anchorage, Alaska

May 6, 1949

Mr. Don C. Foster
General Superintendent
Alaska Native Service
Juneau, Alaska

Dear Mr. Foster:

Reference is made to your letter of April 29, 1949, wherein you quote from a letter you say you received from Rev. Jackman of the Board of National Missions of the Presbyterian Church, concerning the church's interest in obtaining a building site in the Hydaburg Townsite.

It appears that the City Council or other parties are considering the granting of the site for the new church to the congregation. Since the description of the tract on which the site for the church is to be located is not given, I am unable to ascertain its status and cannot, therefore, say under what authority, if any, the proposed transfer may be made. It should be understood that no transfer of the site may properly be made unless a deed has first been issued for the lot by the Townsite Trustee.

It would also appear that unless the church obtains legal title to the building site, the Board of National Missions could only secure a chattel mortgage, as you have stated, and such a mortgage say, as a general rule, be recorded against the property, whether or not recorded as owned by an individual, group or association of individuals, corporate or incorporated.

You also posed the question whether the vacant lots in the Native Townsite of Hydaburg are held for disposal by public sale as in the case of townsites under the 1891 act (48 U.S.C. Sec.355), or may they be occupied by natives or groups of natives legally and without possible loss by sale by the Townsite Trustee.

You are informed that the vacant lots in native townsites established under the act of May 25, 1946 (44 Stat. 629, 48 USC Secs. 355a-355d), may be deeded to native occupants, as they may claim them. Deeds may, however, be issued to individuals only under the provisions of the act. Special legislation would appear necessary to permit the Trustee to issue a deed for such lots to a group of individuals or association of natives. No provision is made for the public sales of vacant lots in such townsites, either in the regulations or the 1926 act.

Very truly yours,

I concur:

Lowell M. Puckett
Regional Administrator

s/s Abe Barber
Regional Counsel

From: Dpt. of Work in Alaska
FK

MAY 20 1949

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

ALASKA
PERM. FILE

May 6, 1949

Mr. Don C. Foster
General Superintendent
Alaska Native Service
Juneau, Alaska

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I concur:

s/s Abe Barber
Regional Counsel

Very truly yours,

Lowell M. Puckett
Regional Administrator

In reply address only the
General Superintendent

UNITED STATES
DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

FIELD SERVICE
Alaska Native Service
Juneau, Alaska

MAY 20 1949

May 16, 1949

AIR MAIL

Rev. J. Earl Jackman
Board of National Missions of the
Presbyterian Church in the U. S. A
156 Fifth Ave.
New York 10, N. Y.

Dear Mr. Jackman:

This is in further reference to your letter of April 20,
concerning the title to the site of the proposed new church building at Hydaburg.

You will find enclosed a copy of the reply of the Townsite Trustee to the communication which we addressed to him concerning this matter. It appears that the only way in which title could be acquired by the congregation would be by purchase from an individual who had received a deed from the Townsite Trustee (and an individual is required to be in use and occupancy of a lot before receiving a deed) or by special legislation by Congress. In connection with the latter, we have previously asked the Indian Office to request legislation to allow the Townsite Trustee to deed lots to groups of Natives, such as the church congregation, as well as individuals.

Mr. Puckett's letter indicates that the congregation need have no worry concerning loss of the land if occupied without a deed. Therefore a measure of temporary expediency for the Board of National Missions would be the securing of a chattel mortgage by regarding the building as personal property.

If you have further questions on this matter, please feel free to inquire.

Sincerely yours,

Don C. Foster
Don C. Foster

General Superintendent

File: 305.0 Hydaburg
cc: Commissioner of Indian Affairs

COPY (original rec'd Alaska Department 5/20/1949)

In reply address only the
General Superintendent

*all file
Hydaburg. al folder*
ALASKA
PERM. FILE
United States
Dept. of the Interior
Office of Indian Affairs
Field Service
Alaska Native Service
Juneau, Alaska

AIR MAIL

May 16, 1949

Rev. J. Earl Jackman
Board of National Missions of the
Presbyterian Church in the U.S.A.
156 Fifth Ave.
New York 10, N.Y.

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If you have further questions on this matter, please feel free to inquire.

Sincerely yours,

/s/ Don C. Foster

Don C. Foster
General Superintendent

File: 305/O. Hydaburg (initialed) ckm
cc: Commissioner of Indian Affairs

Dept. of Work in Alaska
FK

Alaska
Hydaburg Church

ALASKA
PERM. FILE

July 5, 1949

Mr. Don C. Foster
General Superintendent
Alaska Native Service
Juneau, Alaska

Dear Mr. Foster:

Thank you for your help and that of Mr. Lowell M. Puckett in the matter of ownership on the church in Hydaburg, Alaska. We understand that unless the congregation has a deed to the land on which the church will stand, we cannot receive anything but a chattel mortgage. We are pressing for a deed to be granted by the Town Council to the congregation for the land, and action has been taken making the grant, but as yet nothing has been done about actually issuing the deed.

You have helped us clear this matter, and we want to express our appreciation for your cooperation.

Cordially yours,

J. Earl Jackman, Secretary
Department of Work in Alaska

JEJ:AG

In reply address only the
General Superintendent

UNITED STATES
DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

FIELD SERVICE

Alaska Native Service
Juneau, Alaska

JUL 14 1949

July 11, 1949

VIA AIR MAIL

Rev. J. Earl Jackman
Board of National Missions of the
Presbyterian Church in the U. S. A.
156 Fifth Ave.
New York 10, N. Y.

Dear Dr. Jackman:

Thank you for your letter of July 5 concerning title to the prospective church lot in Hydaburg.

It appears from the last sentence of your first paragraph that we have not made ourselves entirely clear in this matter. You mentioned a "deed to be granted by the Town Council," but as Mr. Puckett pointed out in his second paragraph, "no transfer of the site may properly be made unless a deed has first been issued for the lot by the Townsite Trustee". We should have explained before that to the best of our knowledge no deed has been issued to the lot by the Townsite Trustee and that therefore the land is still vested in him. An individual who has acquired or may acquire title by receiving a deed from the Trustee could convey his land (subject to the approval of the Secretary of the Interior if it is in a restricted status) to the congregation, or the Congress could pass special or general legislation permitting the Townsite Trustee to deed previously undeeded land to the congregation, but we see no way in which the City Council could issue a deed that would be valid.

Sincerely yours,

Reinholt Brust,
Acting General Superintendent.

P. S. Mr. Puckett is the present townsite trustee.

NR:JBS:bje
File:305.0 Hydaburg
cc: City Clerk, Hydaburg

Alaska
Hydaburg
Ch. 2000

Board of National Missions
of the Presbyterian Church in the
United States of America

156 Fifth Avenue, New York 10, N. Y.

August 10, 1949

**ALASKA
PERM. FILE**

Mr. N. Lynn Kingsley
R. D. [illegible]
Edinboro, Pennsylvania

Dear Mr. Kingsley:

see with Mr. Kingsley

We have received word from Mr. Register giving us the news that you have a bell about 18 inches in diameter which we may have for our new church in Hydaburg, Alaska. We greatly appreciate this generous spirit on your part, and would ask you to crate it well in wood and ship it to the Rev. Alvin E. Gall, Hydaburg, Alaska. The shipping instructions on the crate should include "Via Seattle - Alaska Steamship Company." It should also say, "Will be called for at Ketchikan, or by direct freighter." The reason for all of this instruction on the crate lies in the fact that sometimes Alaska Steamship during the canning season has freighters direct to Hydaburg, but other times they dump their freight at Ketchikan. If they dump it at Ketchikan, there is an additional charge for freight to Hydaburg and sometimes they do not notify the one who receives the freight so that things are held up in Ketchikan for months at a time before it is discovered that they are there, or are moved.

Usually freight charges are payable in advance, and the congregation has indicated its willingness to pay the freight. If you would let us know when the bell is ready to be shipped and will pay the charges on it, we will see that you are reimbursed for them. It would be well to let us know when you ship it so that we can write to our purchasing agent in Seattle and ask him to be on the lookout for it. Find out if you can by what route it will be shipped so that our man will know where to look for it.

You will be interested to know that the church at Hydaburg burned about a year ago and their old bell which was 31 inches in diameter was broken in the crash. This Indian congregation is now putting forth its best efforts to raise money for materials and build a new church with their own hands. Our Board is helping them some but we want them to take as much responsibility as possible. Very few Indian people in Alaska carry watches so that a bell is a very essential thing to call the people to worship. In one of our churches the attendance at services doubled after the installation of a bell.

We are grateful to you for your willingness to give us the bell. We trust it will be used of God to ring out the call to the people to come to His house and find His presence and power in their lives.

Sincerely yours,

J. Earl Jackman, Secretary
Department of Work in Alaska

JEJ:ala

cc: Mr. Register

at Sale
Hydaburg,

Al. Tolden

Board of National Missions
of the Presbyterian Church in the
United States of America

156 Fifth Avenue, New York 10, N. Y.

August 10, 1949

Mr. Lowell M. Puckett
U. S. Department of Interior
Bureau of Land Management
Anchorage, Alaska

Dear Mr. Puckett:

Mr. Don Foster, the general superintendent of the Alaska Native Service in Juneau, has sent me a copy of his correspondence with you in regard to our inquiry concerning the possibility of a deed to the lot in the village of Hydaburg on which a new Presbyterian Church is being erected.

About a year ago the Presbyterian Church in Hydaburg burned. There was no insurance on it and investigation showed that the church had been built by the people themselves on a town site in the community. When the question about rebuilding the church came up, it was thought wiser to build it on the town side of the manse where a level place could be secured in a better location. The people are not able to pay the entire cost so have asked help from our Board. It is the policy of our Board to grant help for buildings only on land which we own or on which we can secure a first mortgage. This has led to our inquiry concerning the possibility of a deed being granted to the congregation for the use of this lot. We do not have a town plot of Hydaburg here, but it can be located by description. Next to the schoolhouse is a playground, next to the playground is the totem park, next to the totem park is the land which has been levelled for the construction of the new church. At the top of the hill beyond the new church location is the Presbyterian manse.

We understand that the Town Council has granted the use of the lot to the congregation and proposes to give some kind of a written statement to that effect but has not yet done it. If it is possible for the town site trustee to deed this lot to the congregation, we would appreciate it and would then record our investment as a first mortgage against it. Otherwise we shall plan to take a chattel mortgage and record it as you have outlined to Mr. Foster. Your help on this would be greatly appreciated.

Sincerely yours,

J. Earl Jackman, Secretary
Department of Work in Alaska

J.EJ:ala
Dictated by Dr. Jackman
but signed in his absence

Hydaburg file

SEP 25 1950

217 East Kirwin
Salina, Kansas
Sept. 19, 1950

The Pres. Boards of Foreign & Nat'l Missions
156 Fifth Ave.
New York 10, N. Y.
Gentlemen:

I noticed in the Year Book of Prayer for Missions that the list of names of retired Alaskan missionaries did not contain the name of Rev. J. L. Howe.

This omission may have been due to his short period of service, which was about five years. However, although in point of time it was short, a tremendous amount of service was crowded into those years, service not only to the natives but also of great value to the Presbyterian Board.

In that period he cleared the ground - a very difficult task - and erected a fine six-room bungalow of native lumber finished in beautiful red cedar, almost entirely with his own hands. Also, by securing financial aid from friends and using native lumber and native help he built the church almost to completion at Hydaburg without the help of any money from the Board. That church, which burned a few years ago was considered the best church building in Alaska, by some who saw it.

Being a personal friend, I know that Mr. Howe's only reason for leaving Alaska was ill health and his doctor's advice.

Also I believe, as he also does, that it was due to the extremely strenuous life there that his health was broken.

Mr. Howe is now an invalid and has been for three and a half years, unable to render any remunerative service for himself or family, and it seems that he is not eligible for a pension, unfairly so.

In view of all these things it would seem that it would only be giving him a little well-earned recognition to include his name among those who have served in the Alaskan field. I am sure it would give him a feeling of satisfaction to have it so, and that sense of satisfaction is about the only pleasure he now has.

Very sincerely yours,
Edna V. Chaney

*al Perm file
Hydaburg, al Jdr*

Board of National Missions
of the Presbyterian Church in the
United States of America

156 Fifth Avenue, New York 10, N. Y.

September 25, 1950

Miss Edna V. Chaney
217 East Kirwin
Salina, Kansas

Dear Miss Chaney:

Thank you for calling to our attention the service of the Rev. J. L. Howe in connection with the building of the old church in Hydaburg. Your letter has in it some historical material which I am personally glad to receive because it gives me more of the circumstances in the building of the old church. Inasmuch as the native people wanted considerable help from the Board in re-building, we have not been quite able to understand how the old building was built without our help. Your letter helps with that explanation.

Our Board has a rule that names of retired missionaries are not inserted in the retired list unless they have served twenty years with the Board. We question the justice of this rule, because there are many who have rendered outstanding service for a shorter period of time even up to eighteen years, are well known throughout the church and yet because of the twenty year rule are not included in the list of retired workers. We have objected to this rule and are now seeking some way to change it.

We greatly appreciate the service of such people as Mr. Howe and are glad to know about him in order to continue to think of him as making a vital contribution toward the advance of the work on the field.

Sincerely yours,

J. Earl Jackman, Secretary
Department of Work in Alaska

JEJ:AG

Hydaburg Ch. 3dr.

Board of National Missions
of the Presbyterian Church in the
United States of America

156 Fifth Avenue, New York 10, N. Y.

ALASKA
PERM. FILE

October 26, 1950

Dr. John L. Howe
1700 Tennessee
Lawrence, Kansas

Dear Dr. Howe:

We are in the midst of trying to finish up the work on the new Presbyterian church in Hydaburg, Alaska. A development of this project has caused us to look back into the history of the community and the church. The native people had told us with a good deal of pride that the first church had been built without any help from the Board. Since they wanted a great deal of help now, we could not understand the entire story.

A large part of the explanation of this situation came when we discovered that the old church was built by the native people largely because you led them yourself to accomplish that result. As we now finish up the new building, we pause to turn back and express our appreciation to you for your great ministry during your period of service in Hydaburg. It has not been my privilege to meet you but we did want you to have this word from us.

Cordially yours,

J. Earl Jackman, Secretary
Dept. of Work in Alaska

JJJ:D

LAW OFFICE
JAMES E. CURRY

JAMES E. CURRY
FRANCES L. HORN

519 EAST CAPITOL STREET
WASHINGTON 3, D. C.
LINCOLN 3-8000

*at Perm Lake
Hydaburg etc.*

*March 30 1951
Ackd 4/4/51*

*4/5/51 20 pages sent Dr. J.
(1 full letter)*

MAR 22 1951

Dr. J. Earl Jackman, Secretary
Department of work in Alaska
Board of National Missions of the Presbyterian
Church in the United States of America
156 Fifth Avenue
New York 10, New York

Dear Dr. Jackman:

Thank you for your letter of March 20. In accordance with your request contained therein, I enclose a copy of the stipulation which I signed, under which Hydaburg received its reservation. The original stipulation was filed April 25, 1950. The amendment was filed July 21, 1950.

You will note that contrary to the interpretation placed upon the stipulation by William L. Paul, Sr. and others who seek to discredit me, the stipulation does not waive payment under the pending claims case for the lands involved. The only right waived is the right to a present possessory interest." The Amendment clarified this intention by spelling it out in so many words, and attaching a copy of a memorandum of the then Commissioner of Indian Affairs stating that he had theretofore been advised by the Department's counsel to the same effect.

Very truly yours,

James E. Curry
James E. Curry

In The
COURT OF CLAIMS OF THE
UNITED STATES

The Tlingit and Haida Indians of Alaska)	
)	
Plaintiffs,)	
)	
v. [unclear])	Case No. 47900
)	
The United States of America,)	
)	
Defendant.)	

S T I P U L A T I O N

WHEREAS, the Plaintiffs herein have plead as a second alternative action that "with exception of certain lands of unknown extent wrongfully patented in fee or reserved by defendant to divers persons and organizations, plaintiffs at all times, from time immemorial unto June 10, 1935, and unto the present, owned and occupied all the lands" of Southeastern Alaska east of the 141st meridian including all bays, inlets, islands, and streams, lakes, tidelands, and fisheries; and

WHEREAS, the portion of said land so claimed by the Haida Indians of Hydaburg, Alaska was described by them in a petition addressed to the Secretary of the Interior on June 28, 1944, which petition was amended on September 18, 1944, copy of which petition and amendment is attached hereto and marked Exhibits A and B respectively; and,

WHEREAS, the said Haida Indians in their said petition requested the Secretary of the Interior to protect their interest in the described lands by reserving said lands for the inhabitants of the Village of Hydaburg, pursuant to authority vested in the Secretary by Section 2 of the Act of May 1, 1936, 49 Stat. 1250 (U.S.C. Title 48, Sec. 358a); and,

WHEREAS, on November 30, 1949, the Secretary of the Interior issued an order reserving to the inhabitants of the Village of Hydaburg.

in addition to the town reserve established for said inhabitants by Executive Order 4712, dated August 30, 1927, an area smaller than that described in the petition of June 28, 1944, as amended, which order according to law, and according to its terms was to become effective only upon its approval by a majority vote of the natives residing in the area described therein; a copy of which order is marked Exhibit C and attached hereto; and,

WHEREAS, the reservation of the said area to the said Haida Indians was, by terms of the order, conditioned upon the filing by the Plaintiffs herein of "A stipulation withdrawing all claims of the said tribes or either of them or any town, village, community, land clan, family, or other subdivisions of either of the plaintiff tribes, to a present possessory interest outside of the area" therein reserved; and,

WHEREAS, after consideration of all of the terms and conditions of the said order, a majority of the Haida Indians of the Village of Hydaburg, in an election duly called and held on the 24th day of April, 1950 by the Secretary of the Interior, voted to approve the reservation of lands described in the Order of November 30, 1949 and to accept the conditions therein contained;

NOW, THEREFORE, in consideration of the premises, the Plaintiffs herein hereby stipulate that the Plaintiff tribes withdraw all claims (asserted in their second alternative action herein) of the tribes or either of them or any town, village, community, land, clan, family or other subdivision of either of the plaintiff tribes, to a present possessory interest outside of the area reserved by the order of November 30, 1949 and within an area of approximately 905,000 acres hitherto claimed by the natives of the Village of Hydaburg, which area is more specifically described in the petition of said natives filed with the Secretary of the Interior on June 28, 1944, and amended on September 18, 1944.

TLINGIT AND HAIDA INDIANS OF ALASKA

By _____

Attorney

July 21, 1950

COPY

In The
COURT OF CLAIMS OF THE
UNITED STATES

The Tlingit and Haida Indians of Alaska)

Plaintiffs,)

v.)

The United States of America,)

Defendant.)

Case No. 47900

AMENDMENT TO STIPULATION

WHEREAS, under date of June 14, 1950, the Solicitor of the Department of the Interior of the United States transmitted to the undersigned certain objections to the stipulation heretofore filed herein on April 25, 1950, copy of which is attached to this amendment and marked Exhibit A, and

WHEREAS, certain representatives of the Department of Justice have raised questions as to whether the intent of said stipulation was to waive the rights of the plaintiffs herein under the Indian Claims Commission Act, (60 Stat. 1049) and under the Tlingit and Haida Claims Act of 1935 (49 Stat. 388, Chapter 275).

NOW, THEREFORE, in consideration of the premises, the stipulation heretofore filed herein by the undersigned on April 25, 1950 is hereby amended as follows:

- (a) In the last paragraph thereof, after the words, "the plaintiffs herein," insert the words, "to wit, the Tlingit and Haida Indians of Alaska".
- (b) In the last paragraph thereof, strike out the words that appear within parentheses.

It is further provided that nothing contained in this amendment or in the original stipulation shall be construed as waiving or releasing any right to recover judgment for past possessory claims or any other claims that may accrue or may have accrued to the plaintiffs herein under the Indian Claims Commission Act or the Tlingit and Haida Jurisdictional Acts above cited, save the present possessory right and interest as above defined.

And as further clarification of the intention of the undersigned and of the Government herein, there are attached hereto a copy of a certain letter from the Area Director of the Alaska Native Service to the Natives of Hydaburg, dated April 21, 1950 and of a memorandum from the Acting Commissioner of Indian Affairs to the Assistant Secretary of the Interior dated June 23, 1948.

TLINGIT AND HAIDA INDIANS OF ALASKA

By _____
Attorney

COPY UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
WASHINGTON 25, D.C.

Jun 14, 1950

James E. Curry, Esq.
519 East Capitol Street
Washington 3, D. C.

My dear Mr. Curry:

Reference is made to your letter of April 25, transmitting a copy of a stipulation for filing in the Court of Claims in the pending suit of the Tlingit and Haida Indians of Alaska v. United States in an effort to comply with the first condition of the order of November 30, 1949, designating a reservation for the Indians of Hydaburg, Alaska.

The proposed stipulation is objectionable in two respects. In the first place, although the pending suit has been brought on behalf of the Tlingit and Haida Indians of Alaska, specific reference is made in the text of the proposed stipulation only to the Haida Indians. In the second place, the last paragraph of the proposed stipulation contains a parenthetical phrase which is believed to restrict its scope and effect.

It is suggested that you submit a new stipulation which will meet the objections mentioned above.

Sincerely yours,

(Signed) Mastin G. White

Mastin G. White
Solicitor

COPY

Juneau, Alaska

Air-Mail

April 21, 1950

To The People of Hydaburg:

This communication to you is to correct certain erroneous statements that have been made in the press and over the radio concerning the proposed reservation to be voted upon at Hydaburg on April 24, 1950. I am in no way trying to influence you pro or con as to how to vote. That is your privilege and unquestionably you have the good judgment to vote for your best interest.

1. It has been stated in the press on several occasions that the 3 fish trap sites would not go with the reservation if it is voted. According to the lawyers of the Interior Department and other influential lawyers in Washington, including Felix Cohen, the trap sites will go with the reservation if it is voted. There is no reason why you should doubt the judgment of the Department lawyers and such capable men as Felix Cohen. Your own attorney, James E. Curry, holds the same attitude and it is his judgment that the fish trap sites go with the proposed reservation. There is no reason why you should discount his judgment in this matter.

2. There is apprehension upon the part of the Hydaburg residents that fish for the Waterfall cannery that they would be excluded from any possible benefits accruing from the establishment of a reservation at Hydaburg. Such a statement is absolutely false, is not based on fact, nor is there any example or cases to go by which would substantiate such statements. All evidence is to the contrary - the people who fish for Waterfall or any place else as far as that is concerned cannot legally be excluded from any possible benefits accruing from the establishment of a reservation at Hydaburg as long as they remain members and residents of the community. This is merely more false propaganda to confuse and mislead the people of Hydaburg.

3. There has been some apprehension on the part of the people who fish at Waterfall and other places that they would not be allowed to fish within the 3,000 ft. off-shore area of the proposed reservation for Hydaburg. Such a statement is absolutely false. There is no way by which the members and residents of Hydaburg could be excluded from this area. Such a practice would be strictly discriminatory and it is against the law to follow such practices. Whites can be excluded from the area by rules and regulations formulated by the governing body of the Hydaburg reservation.

4. A statement came out in the press that the Hydaburg people would lose claim to a million acres of land formerly claimed by the tribe. This statement is not based on fact and it is a little unusual to have its author make such a statement since he has questioned whether the Hydaburg people had any aboriginal rights at all. The Alcoa case recently settled in Oregon clearly demonstrates that you people do have aboriginal claims and can sue the government for settlement for being dispossessed of these lands. There is absolutely nothing to prevent Hydaburg from suing the government for value of the lands which you have been dispossessed of.

5. The statements that timber sold from a reservation brings less money is not based on fact. Timber sold from your reservation would have to be sold on bid and the only place in which the Forest Service would affect the price of that timber would be on the minimum price sold. It would be to the interest of the Forest Service to have you receive every dime possible for the timber for the price established there certainly would have its influence on price in other areas.

6. There has been much said about placing you people in a special privilege class if a reservation is voted. Why this would be a crime or an outrage is a little mysterious to me. The Alaska Steam is in a special privilege class under the Jones Act. The farmers of the United States are in a special privilege class by law giving them many subsidies increasing the cost of living for all the rest of us. They have price support keeping the value of their farm products up to a certain level. The labor unions have plenty of special legislation for their benefit. The veterans have many special benefits by law.

It is my responsibility as a representative of the Secretary of the Interior and the Commissioner of Indian Affairs to give you the true facts on each one of the points raised above. I would like to reiterate again that I am in no way trying to influence you pro or con on how to vote on the proposed reservation for Hydaburg.

Sincerely yours,

Don C. Foster
Area Director

DCF:bb

Hydaburg Land Title

December 28, 1956

VIA AIRMAIL
Mr. Robert J. Coffman
United States Land Office
Anchorage, Alaska

Dear Mr. Coffman:

Thank you for your letter of December 19th giving us a review of the land titles in Hydaburg, Alaska for which the Board of National Missions of the Presbyterian Church in the United States of America has made application for titles.

We understand from your letter that it is within the provisions of the present Federal legislation for the town site trustee to issue deeds to the Board of National Missions for lot 3 in block 27 and lots 1 and 2 in block 28 in Hydaburg for the payment of the survey assessment fees amounting to \$67.06. We have reviewed this matter with our legal counsel, Mr. Lucien H. Tribus, and he will proceed to process this matter with you as soon as possible, forwarding the check for this amount. Just now he is short of secretarial help but will hope to care for it in the near future.

In your letter you indicated that we had ^{no} right to apply for the title for the lot in block 22 which is across the street from the church building and which we desired to have to keep open to prevent anyone from building on it which would obstruct the view from the church to the harbor and mountains. Since we do not have the right to apply for title to this lot because we had no improvements on it prior to the acceptance of U.S. Survey plat 1570, can you give us directions as to how we might purchase this lot in the name of the church or the Board in order to keep it open?

We appreciate the cooperation of the Land Office on this item. It gives us an opportunity to clear up the title to one more site where we have had mission work over the years and where adequate ownership has not been established.

Sincerely yours,

JMJ:aj
cc: The Rev. Brian Cleworth

J. Earl Jackman, Secretary
Department of Work in Alaska

P.S. We should notify the Land Office that Dr. R. R. Armstrong is no longer the legal representative of the Board in the territory of Alaska. His position as Assistant Secretary of the Department of Work in Alaska has been taken by the Rev. Brian H. Cleworth, Box 2539 Juneau, Alaska. This transfer of legal representation took effect as of September 1, when Dr. Armstrong became the President of Sheldon Jackson Junior College in Sitka, and Mr. Cleworth assumed the responsibilities of the Assistant Secretary.

Hydaburg

at
Hydaburg, Alaska

June 25, 1937

The Elders of the Hydaburg Presbyterian Church
Hydaburg, Alaska

Dear Friends:

We do not know which one of you is the Clerk of Session, so are sending this letter to all of you in the hope that it will get to all of you and particularly to the proper persons. We have a feeling that a new Clerk of Session has been elected, but we do not have a record of who it is.

When Mr. and Mrs. Stussi left Hydaburg early last spring, it was supposed that they would be away only for a limited amount of time until her medical condition was corrected and then they would be returning to their field with you. Her medical situation has taken a longer period of time than was anticipated, so that it has seemed wise for them to remain in the Japanese area under the constant care of the doctor. This has resulted in the choice of Mr. Stussi to serve on the network, the Princeton-Hill, and since we had a vacancy there, this transfer could be arranged.

For a few months, the Reverend J. E. Hollingsworth served the field at Hydaburg and since we were taking the entire responsibility for his salary and support, we asked the Hydaburg Church to continue their monthly payment to Mr. Stussi until a final decision would be made. Since it now seems clear that Mr. Stussi will continue on the Princeton-Hill, and the local church does not have a resident missionary-pastor, we feel that the church should not be asked to continue making the monthly payment of salary to Mr. Stussi. Therefore we would suggest that this arrangement be terminated as of June 1st, and that we pick up this difference in his salary as of the same date. If the payment already has been made for June, we would suggest that Mr. Stussi return it to the Treasurer of the church, and we may expect to receive it from us through his salary check in July.

Meanwhile, we have been searching for another missionary-pastor for the Hydaburg Church and congregation. We have found the Reverend and Mrs. Paul Roper, who came to us from Conestogo, Pennsylvania. While Mr. Roper

was a student at the Seminary, he spent one summer in the interior of Alaska, and ever since has wanted to return for service. At that time he did not have a wife and we have preferred that our missionary-pastors should have wives to come and serve with them on the field. Recently Mr. Roper was married to a very fine, talented girl who is graduating from Maryville College. We have sent their names to the chairman of the National Missions and Ecclesiastical Relations Committee of the Presbytery and Mr. Clowrth, all of whom have approved his appointment for the Igloodung field. Mr. Roper has a fine, devoted Christian spirit and is interested and concerned for the welfare of all of the people whom he will come to serve. His wife shares this same spirit with him and is also talented in the field of music, which will be a help in the work of the church and community. The Ropers have planned tentatively to leave Seattle July 15th, spend a day or two in Ketchikan to make contacts with wives, open a bank account and get acquainted with the local people there, and then fly over to Igloodung on the 16th or 17th. Since the Rev. Brian Clowrth is planning to be in your area about the same time, we have asked Mr. Roper if he could make up his departure from Seattle to July 15th, have a day in Ketchikan for these contacts and be in Igloodung for services on the 16th. We have not had definite word on this yet, but hope that it may be possible.

We have appreciated the loyalty and growth of the church and people of Igloodung over the last years, and express the confidence that this may continue into the future under the leadership of the Rev. and Mrs. Paul Roper. The Gospel of Jesus Christ is an essential power for all of our lives and we trust that the people of Igloodung will continue to give themselves in a full Christian commitment to the Church, which will bring spiritual growth to one and all.

Sincerely,

J. Earl Jackson, Secretary
Department of Work in Alaska
(Initiated by Dr. Jackson and signed in his absence)

Jed:lt

Cc.: The Rev. Brian H. Clowrth
Mr. Charles Powell
Mr. Fred Grant, Sr.
Mr. James Henson
Mr. David Jaxon



Hydaburg

BOARD OF NATIONAL MISSIONS

OF THE UNITED PRESBYTERIAN CHURCH IN THE UNITED STATES OF AMERICA

156 FIFTH AVENUE, NEW YORK 10, N.Y.

ALGONQUIN 5-5000

March 25, 1959

The Rev. William A. Smith
First Presbyterian Church
Liberty Street
Meadville, Penna.

Dear Bill:

We do remember that your young people of your Presbytery are working on a project to raise money to assist the work in Hydaburg. We had this in mind as one of the reasons why we invited you to go on our Evangelistic Mission last fall, and accept the assignment at Hydaburg.

I am glad that you have written to Paul Moyer about this, because he can make more specific suggestion about it than I can. You may or may not know that he is planning to leave Hydaburg about August 1st, and home out for a long vacation through August and September. We shall be having someone cover his field for these two months, but it will probably be someone who is not familiar enough with the work there to direct the work of Bob Johnson. You have not included in your letter when Bob would be available and how long he can stay. This information will enter into the picture of what he might do while he is there.

While we are waiting for some suggestions from Paul, I might give you some possibilities. The Senior High E. F. conference will be held at Rainbow Glacier Camp from May 31 to June 6, and the Junior High camp will be held from June 7th to June 13th. We would hope that some of the young people from Hydaburg will be attending both camps. Usually, transportation is by our boats, but we are not clear at present writing how many boats we will have available. Paul will probably have both program and physical work for Bob to do in Hydaburg. There will be a vacation Bible school with a team of young people from colleges in the states assisting Paul.

We will have about 12 or 14 college age young people in southeastern Alaska this summer divided up into teams for vacation Bible schools in the villages. They will have finished the program about the 2nd of August, and we are suggesting that the group have a two-week work camp on some project which needs extra help to get a building completed, or further advanced. If Paul leaves the first of August, it might be possible for Bob Johnson to join these young people in this work camp experience.

Miss Helen E. Irvine
J. Earl Jackson

September 8, 1959
(Dictated 9/1/59)

We are forwarding to you the attached letter from the Rev. Noble M. Streeter of Prineville, Oregon, for consideration and are attaching a copy of our reply. Mr. Streeter has not given this young man's name or his qualifications so I do not know whether this is a prospect for you. You can see what we have written to him.

September 8, 1959
(Dictated 9/1/59)

The Rev. Noble M. Streeter
655 Ochoco Avenue
Prineville, Oregon

Dear Noble:

to Miss Irvine

Thank you for your letter of August 28th about your friend in your church from Pennsylvania. Such people ought to be encouraged in order to discover whether they should be in the program of the Church and where their talents should be used best.

Your letter did not state whether he is a graduate of college but since he has had a semester in seminary, I would take it for granted that he does have a college degree or its equivalent.

In the church department we usually require full preparation and ordination for the ministry. Because of the relative isolation of our fields we find it necessary to require the ability to perform a full ministry. We also want married men for a family unit in the manse in our churches.

The only exception to this might be in relation to our boat ministry in southeastern Alaska. We have the Anna Jackman with a full crew and we have asked the Board to permit us to keep the Princeton Hall for which we have an ordained missionary to carry the program but we do not have a skipper to take responsibility for the maintenance and operation of the boat. If the Board permits us to do some extensive repair and keep it we will then need a skipper and this could be a single man. However before we could give him any responsibility it would be necessary for him to have some experience in maintenance and operation in Alaska to qualify for Coast Guard requirements and the needs of practical safety operation in Alaska waters.

Since you have indicated that he is interested in teaching, I am referring your letter to the personnel office of educational and medical work for consideration. They should be in touch with you about it.

It is good to hear from you again and to feel your continued interest in Alaska. Best regards to you.

Cordially,

J. Earl Jackman

JEJ/jd
cc: Miss Irvine

FEB 9 1960

al
Hydaburg ch

January 29, 1960

Rev. Paul Moyer
Presbyterian Church
Hydaburg, Alaska

Dear Paul,

I hope things are going as planned for you while Mayreld is there and that this training will mean real spiritual advancement for the people.

Mayreld had some feeling that the people might know her too well to respond well in this program. Of course, people do at times get used to their leaders and the Swanson were there for 5 years. I am sure that Mayreld needs a great deal of encouragement. She has her heart set on all that we need to accomplish in our churches, and we know that we often fall short of our goals.

Plans are now that she will arrive in Petersburg a few days before February 14th for a 2-week stay.

I would like to hear from you, when you have time, as to your evaluation of the Lend Lease program.

Regards to the family.

Sincerely,

Ronald B. Snelling

cc: Bill Pritchard
Dr. Jackman

